

EXHIBIT 32

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

COMMONWEALTH OF
MASSACHUSETTS, et al.,

Plaintiffs,

v.

NATIONAL INSTITUTES OF HEALTH,
et al.,

Defendants.

Case No. _____

Declaration of Oregon Health and Science University

I, Peter G. Barr-Gillespie, Ph.D., hereby declare:

1. I am the Executive Vice President and Chief Research Officer of Oregon Health and Science University ("OHSU"). In addition, I am a professor with the Oregon Hearing Research Center and an affiliated scientist with the Vollum Institute. I have been with OHSU since 1999. From 2014-2017, I was associate vice president for basic research; from 2017-2018, I was interim senior vice president for research. In addition, from 2011 through 2020, I was the scientific director of the Hearing Restoration Project, an international consortium with the goal to develop a biological therapy for hearing loss.
2. I earned my bachelor's degree in chemistry from Reed College in 1981. I received my doctorate in pharmacology at the University of Washington in 1988 and completed a postdoctoral fellowship in physiology, cell biology and neuroscience with Jim Hudspeth, M.D., Ph.D., both at the University of California San Francisco and at the University of Texas Southwestern Medical Center in 1993. Following my fellowship, I joined the faculty at Johns Hopkins.

3. I have published more than 125 scholarly articles, chapters, and reviews, and have been an invited lecturer at dozens of research universities, academic conferences and scientific events.
4. In my position as Executive Vice President and Chief Research Officer, I have oversight of OHSU's research centers and institutes. Research conducted by scientists at OHSU covers myriad areas impacting human health.
5. I am myself an NIH-funded investigator, with research focused on understanding the molecular mechanisms that enable our sense of hearing. Specifically, my lab endeavors to determine how sensory cells in the inner ear, called hair cells, allow people to perceive sound arising from the outside world. I maintain an active, funded research program.
6. As the Executive Vice President and Chief Research Officer, I have personal knowledge of the matters set forth below, or have knowledge of the matters based on my review of information and records gathered by my staff.
7. I am providing this declaration to explain certain impacts of National Institutes of Health ("NIH") Notice Number NOT-OD-25-068, *Supplemental Guidance to the 2024 NIH Grants Policy Statement: Indirect Cost Rates*, which purports to immediately reduce indirect cost recovery to 15%.
8. OHSU has a long tradition of leading-edge research that has yielded some of the most important innovations in the history of modern medicine, including the first successful mitral valve replacement and the invention of optical coherence tomography. OHSU houses a robust research program with more than 1,415 faculty investigators and 262 postdoctoral scholars. OHSU's faculty includes members of the National Academy of Science, National

Academy of Medicine, and National Academy of Inventors, the American Academy of Arts and Sciences, as well as recipients of Lasker-DeBakey Award for Clinical Medical Research.

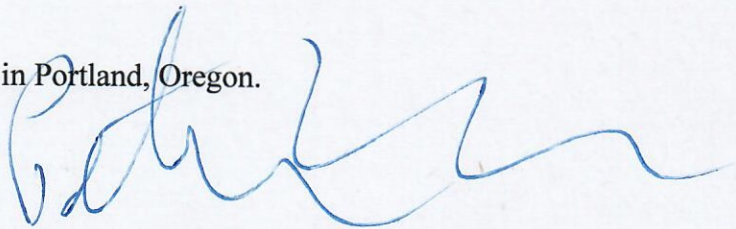
9. As the state's only academic health center, OHSU has advanced American leadership and innovation in medical research. OHSU scientists have carried out fundamental research that has led to new cures, established new standards of care, and provided a better understanding of the basic science that drives biomedical discovery. OHSU researchers explore every aspect of health and disease, ranging from (to name just a few) retinal degeneration, to imaging technology for nerve damage, to engineered immune cells for cancer treatment. Through its schools, centers and institutes, OHSU offers a comprehensive roster of research centers addressing every aspect of biomedical and clinical research.
10. In 2023, OHSU was awarded more than \$413 million in federal research grants and contracts. OHSU ranks as the top Oregon institution to receive National Institutes of Health (NIH) funding, with grants and contracts that same year totaling more than \$297 million.
11. Examples of a few of the many hundreds of NIH funded research projects that came to fruition at OHSU during the past year alone include the following. (1) A federally funded in-human imaging study at OHSU published in the Proceedings of the National Academy of Sciences that revealed a network of metabolic waste-clearance pathways known as the "glymphatic system" critical for brain health. (2) OHSU researchers at the federally funded Vaccine and Gene Therapy Institute identified a gene that threatens to block immune responses to important vaccines for diseases including HIV, malaria, and certain types of cancer, which was published in the journal Science Immunology. (3) OHSU researchers identified whole brain circuit risk factors to better diagnose ADHD in children, as published in the Journal of Neuroscience.

12. NIH funding is essential to OHSU's mission. OHSU research on vaccines made international headlines, with progress on a universal flu vaccine and finding that switching arms for two-dose vaccines improves effectiveness.
13. OHSU has a Negotiated Indirect Cost Rate Agreement ("NICRA") with NIH, effective as of October 13, 2023. The Indirect Cost ("IDC") Rate in the OHSU'S NICRA is 56% for on-campus organized research. OHSU has relied on the NICRA, which OHSU negotiated in good faith and which reflect actual indirect costs, in making decisions and investments to support its research mission.
14. OHSU's total blended IDC rate for NIH funding is approximately 35%.
15. NIH's reduction of OHSU's IDC rates will eliminate approximately \$80 million in funding that OHSU uses to support its research programs. The loss of these funds will immediately impact OHSU's ability to pay expenses associated with critical facilities costs, mortgages, payroll, infrastructure used to support research, research compliance, animal care, and clinical trials. The reduction in OHSU's IDC rate cut would impact approximately 1,209 federally funded grants and contracts, and would disrupt critical research in areas such as fetal-maternal medicine, cancer, cardiovascular health, infectious disease, Alzheimer's disease, neurology, rural health, behavioral health, and many other areas critical to human health.
16. The reduction in OHSU's IDC rate would impair OHSU's ability to maintain compliance with federal research regulations; to accurately track, oversee and report federal research funds expenditures; to maintain our research physical plant; and to provide basic administrative support to our research laboratories such as effort tracking and payroll.

17. The reduced federal IDC reimbursement rate would compromise our ability to carry out ongoing clinical trials that promise advancements in drugs, devices, and clinical protocols. Because these clinical trials could immediately and directly impact patient care, their interruption could jeopardize patient longevity. IDC funded central resources at OHSU for clinical trial research are necessary for contracting, expense tracking, invoicing, human clinical research regulatory compliance and safety, etc.
18. OHSU's next anticipated draw of funds is on or around February 10, 2025. At that time, the reduction in the IDC rate will result in the loss of \$1.6M per week in reimbursement that supports the salaries, facility costs, and research infrastructure that allows OHSU to conduct research.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 9th day of February, 2025, in Portland, Oregon.



Peter G. Barr-Gillespie, Ph.D.
Executive Vice President and Chief Research Officer
Oregon Health and Science University